

**Security Council**

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**France, Gabon, Germany and United Kingdom of Great Britain
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The Security Council,

Reaffirming its previous resolutions and the statements of its President concerning the situation in Somalia, and concerning Eritrea, in particular resolution 733 (1992), which established an embargo on all delivery of weapons and military equipment to Somalia (hereinafter referred to as the "Somalia arms embargo"), resolution 1519 (2003), resolution 1558 (2004), resolution 1587 (2005), resolution 1630 (2005), resolution 1676 (2006), resolution 1724 (2006), resolution 1744 (2007), resolution 1766 (2007), resolution 1772 (2007), resolution 1801 (2008), resolution 1811 (2008), resolution 1844 (2008), resolution 1853 (2008), resolution 1862 (2009), resolution 1907 (2009), resolution 1916 (2010), and resolution 1972 (2011),

Recalling that, as set out in its resolutions 1744 (2007) and 1772 (2007), the arms embargo on Somalia does not apply to (a) weapons and military equipment, technical training and assistance intended solely for support of or use by the African Union Mission in Somalia (AMISOM), and (b) supplies and technical assistance by States intended solely for the purpose of helping develop security sector institutions, consistent with the political process set out in those resolutions and in the absence of a negative decision by the Committee established pursuant to resolution 751 (1992), the mandate of which was expanded pursuant to resolution 1907 (2009) (hereinafter referred to as "the Committee"), within five working days of receiving an advance notification of such supplies or assistance on a case-by-case basis,

Recalling its resolutions 1612 (2005), 1882 (2009) and 1998 (2011) on children and armed conflict, resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009) and 1960 (2010) on women, peace and security, and resolutions 1265 (1999), 1296 (2000), 1325 (2000), 1612 (2005), 1674 (2006), 1738 (2006), 1820 (2008), 1882 (2009), 1888 (2009) and 1889 (2009) on the protection of civilians in armed conflicts,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, Djibouti and Eritrea respectively,

Reaffirming that the Djibouti Peace Agreement and the Peace Process represent the basis for a resolution of the conflict in Somalia, and reiterating its commitment to a comprehensive and lasting settlement of the situation in Somalia



based on the Transitional Federal Charter (TFC), and reiterating the urgent need for all Somali leaders to take tangible steps to continue political dialogue,

Taking note of the report of the Monitoring Group dated 18 July 2011 (S/2011/433) submitted pursuant to paragraph 6 (k) of resolution 1916 (2010) and the observations and recommendations contained therein,

Condemning flows of weapons and ammunition supplies to and through Somalia and Eritrea in violation of the Somalia arms embargo and the Eritrea arms embargo established pursuant to resolution 1907 (2009) (hereinafter referred to as the "Eritrea arms embargo"), as a serious threat towards peace and stability in the region,

Calling upon all Member states, in particular those in the region, to refrain from any action in contravention of the Somalia and Eritrea arms embargoes, and to take all necessary steps to hold violators accountable,

Reaffirming the importance of enhancing the monitoring of the Somalia and Eritrea arms embargoes through persistent and vigilant investigation into the violations, bearing in mind that strict enforcement of the arms embargoes will improve the overall security situation in the region,

Expressing concern at acts of intimidation against the Monitoring Group and interference with the Monitoring Group's work,

Reiterating its serious concern about the worsening humanitarian situation in Somalia, and the impact of the current drought and famine, *strongly condemning* the targeting and obstruction of the delivery of humanitarian aid by armed groups in Somalia, which has prevented the delivery of such aid in some areas and *deploring* the repeated attacks on humanitarian personnel,

Reiterating its condemnation in the strongest terms of all acts of violence, abuses and violations, including sexual and gender-based violence, committed against civilians, including children, in violation of applicable international law, *stressing* that the perpetrators must be brought to justice, *recalling* all its relevant resolutions on women, peace and security, on children and armed conflict, and on the protection of civilians in armed conflicts, and *considering* therefore that the existing designation criteria for targeted measures under resolution 1844 (2008) need to be reaffirmed and further strengthened,

Reaffirming the need for both the Transitional Federal Institutions (TFIs) and donors to be mutually accountable and transparent in the allocation of financial resources,

Calling for the end of the misappropriation of financial funds which undermine the ability of local authorities to deliver services in Somalia,

Determining that the situation in Somalia, Eritrea's actions undermining peace and reconciliation in Somalia as well as the dispute between Djibouti and Eritrea continue to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides that the measures in paragraphs 1, 3, and 7 of resolution 1844 (2008) shall apply to individuals, and that the provisions of paragraphs 3 and 7 of that resolution shall apply to entities, designated by the Committee:

(a) as engaging in or providing support for acts that threaten the peace, security or stability of Somalia, including acts that threaten the Djibouti Agreement of 18 August 2008 or the political process, or threaten the TFIs or AMISOM by force;

(b) as having acted in violation of the general and complete arms embargo reaffirmed in paragraph 6 of resolution 1844 (2008);

(c) as obstructing the delivery of humanitarian assistance to Somalia, or access to, or distribution of, humanitarian assistance in Somalia;

(d) as being political or military leaders recruiting or using children in armed conflicts in Somalia in violation of applicable international law;

(e) as being responsible for violations of applicable international law in Somalia involving the targeting of civilians including children and women in situations of armed conflict, including killing and maiming, sexual and gender-based violence, attacks on schools and hospitals and abduction and forced displacement;

2. *Considers* that acts under paragraph 1 (a) above may include, but are not limited to, the misappropriation of financial resources which undermines the Transitional Federal Institutions' ability to fulfil their obligations in delivering services within the framework of the Djibouti Agreement;

3. *Considers* that all non-local commerce via Al-Shabaab controlled ports, that constitutes financial support for a designated entity, poses a threat to the peace, stability, and security of Somalia, and thereby individuals and entities engaged in such commerce may be designated by the Committee and made subject to the targeted measures established by resolution 1844 (2008);

4. *Calls upon* the Transitional Federal Government (TFG) to consider banning all trade by large merchant vessels with Al-Shabaab controlled ports;

5. *Demands* that all parties ensure full, safe and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance across Somalia, underlines its grave concern at the worsening humanitarian situation in Somalia, *urges* all parties and armed groups to take appropriate steps to ensure the safety and security of humanitarian personnel and supplies, and *expresses its readiness* to apply targeted sanctions against such individuals and entities if they meet the listing criteria set out in paragraph 1 (c) above;

6. *Decides* to extend the mandate of the Monitoring Group referred to in paragraph 3 of resolution 1558 (2004), extended by paragraph 6 of resolution 1916, and requests the Secretary-General to take the necessary administrative measures as expeditiously as possible to re-establish the Monitoring Group for a period of 12 months from the date of this resolution, consisting of eight experts, drawing, as appropriate, on the expertise of the members of the Monitoring Group established pursuant to resolution 1916 (2010), and consistent with resolution 1907 (2009), in order to fulfil its expanded mandate, this mandate being as follows:

(a) to assist the Committee in monitoring the implementation of the measures imposed in paragraph 1, 3, and 7 of 1844 (2008), including by reporting any information on violations; to include in its reports to the Committee any

information relevant to the potential designation of the individuals and entities described in paragraph 1 above;

(b) to assist the Committee in compiling narrative summaries, referred to in paragraph 14 of resolution 1844 (2008) of individuals and entities designated pursuant to paragraph 1 above;

(c) to investigate any seaport operations in Somalia that may generate revenue for Al-Shabaab, an entity designated by the Committee for meeting the listing criteria in resolution 1844 (2008);

(d) to continue the tasks outlined in paragraphs 3 (a) to (c) of resolution 1587 (2005), paragraphs 23 (a) to (c) of resolution 1844 (2008), and paragraphs 19 (a) to (d) of resolution 1907 (2009);

(e) to investigate, in coordination with relevant international agencies, all activities, including in the financial, maritime and other sectors, which generate revenues used to commit violations of the Somalia and Eritrea arms embargoes;

(f) to investigate any means of transport, routes, seaports, airports and other facilities used in connection with violations of the Somalia and Eritrea arms embargoes;

(g) to continue refining and updating information on the draft list of those individuals and entities that engage in acts described in paragraph 1 above, inside and outside Somalia, and their active supporters, for possible future measures by the Council, and to present such information to the Committee as and when the Committee deems appropriate;

(h) to compile a draft list of those individuals and entities that engage in acts described in paragraphs 15 (a)-(e) of resolution 1907 (2009) inside and outside Eritrea, and their active supporters, for possible future measures by the Council, and to present such information to the Committee as and when the Committee deems appropriate;

(i) to continue making recommendations based on its investigations, on the previous reports of the Panel of Experts (S/2003/223 and S/2003/1035) appointed pursuant to resolutions 1425 (2002) and 1474 (2003), and on the previous reports of the Monitoring Group (S/2004/604, S/2005/153, S/2005/625, S/2006/229, S/2006/913, S/2007/436, S/2008/274, S/2008/769 and S/2010/91) appointed pursuant to resolutions 1519 (2003), 1558 (2004), 1587 (2005), 1630 (2005), 1676 (2006), 1724 (2006), 1766 (2007), 1811 (2008) 1853 (2008) and 1916 (2010);

(j) to work closely with the Committee on specific recommendations for additional measures to improve overall compliance with the Somalia and Eritrea arms embargoes, as well as the measures imposed in paragraphs 1, 3 and 7 of resolution 1844 (2008), and paragraphs 5, 6, 8, 10, 12 and 13 of resolution 1907 (2009) concerning Eritrea;

(k) to assist in identifying areas where the capacities of States in the region can be strengthened to facilitate the implementation of the Somalia and Eritrea arms embargoes, as well as the measures imposed in paragraphs 1, 3 and 7 of resolution 1844 (2008), and paragraphs 5, 6, 8, 10, 12 and 13 of resolution 1907 (2009) concerning Eritrea;

(l) to provide to the Council, through the Committee, a midterm briefing within six months of its establishment, and to submit progress reports to the Committee on a monthly basis;

(m) to submit, for the Security Council's consideration, through the Committee, two final reports; one focusing on Somalia, the other on Eritrea, covering all the tasks set out above, no later than 15 days prior to the termination of the Monitoring Group's mandate;

7. *Further requests* the Secretary-General to make the necessary financial arrangements to support the work of the Monitoring Group;

8. *Requests* the Committee, in accordance with its mandate and in consultation with the Monitoring Group and other relevant United Nations entities, to consider the recommendations in the reports of the Monitoring Group and recommend to the Council ways to improve implementation of and compliance with the Somalia and Eritrea arms embargoes as well as implementation of the targeted measures imposed by paragraphs 1, 3, and 7 of resolution 1844 (2008) and paragraphs 5, 6, 8, 10, 12, and 13 of resolution 1907 (2009), in response to continuing violations;

9. *Decides* that for a period of twelve months from the date of this resolution, and without prejudice to humanitarian assistance programmes conducted elsewhere, the obligations placed on Member States in paragraph 3 of resolution 1844 (2008) shall not apply to the payment of funds, other financial assets or economic resources necessary to ensure the timely delivery of urgently needed humanitarian assistance in Somalia, by the United Nations, its specialised agencies or programmes, humanitarian organisations having observer status with the United Nations General Assembly that provide humanitarian assistance, and their implementing partners, including bilaterally or multilaterally funded NGOs participating in the UN Consolidated Appeal for Somalia;

10. *Urges* all parties and all States, including Eritrea, other States in the region, and the TFG, as well as international, regional and subregional organisations, ensure cooperation with the Monitoring Group, and ensure the safety of the members of the Monitoring Group, and unhindered access, in particular to persons, documents and sites the Monitoring Group deems relevant to the execution of its mandate;

11. *Decides* to remain actively seized of the matter.